

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SAMUEL ZAKHEIM et al., individually and on behalf of all others similarly situated,	:	
Plaintiffs,	:	
	:	CIVIL ACTION
v.	:	No. 22-4594
	:	
CURB MOBILITY LLC et al.,	:	
Defendants.	:	

ORDER

This 8th day of June, 2023, for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that:

1. Defendants' Motion to Dismiss (ECF 22) is **GRANTED in part** and **DENIED in part**.
2. As to Plaintiffs' RICO claims set forth in Counts III and IV, the Motion is **GRANTED** and these claims are **DISMISSED without prejudice**.
3. As to Plaintiffs' unjust enrichment claim under New York law set forth in Count VI, and request for declaratory relief set forth in Count VIII, the Motion is **GRANTED** and these claims are **DISMISSED with prejudice**.
4. As to Plaintiffs' remaining claims, the Motion is **DENIED**.

/s/ Gerald Austin McHugh
United States District Judge